

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

RICHARD LUPKES and
SHIRLEY LUPKES,

Plaintiffs,

VS.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant.

CIV. 09-4165-KES

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) JUDGMENT OF DISMISSAL
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Pursuant to the Stipulation for Dismissal Without Prejudice, it is
hereby

ORDERED, ADJUDGED, AND DECREED that the Stipulation for Dismissal Without Prejudice (Docket 10) is granted. The bad faith cause of action against defendant is voluntarily dismissed, without prejudice, without costs to either party, with full reservation of rights to reassert the same claim(s) in this or a separate action.

Dated January 19, 2010.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER
CHIEF JUDGE